

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Allegation of corruption against Sri Tarra Nageshwara Rao, Mandal Surveyor, Office of Tahasildar, Komarolu Mandal, Prakasam District – Trapped on 09-12-08 – Sanction of Prosecution – Orders – Issued.

REVENUE (VIGILANCE. IV.2) DEPARTMENT

G.O.Ms.No. 1294

Dt: 14-12-09

O R D E R: -

Whereas, Sri Tarra Nageshwara Rao, Mandal Surveyor, Office of Tahasildar, Komarolu Mandal, Prakasam District working from 26-02-2005 and by virtue of the post held by him he falls under the category of Public Servant as defined Under Section 2 (c) of the Prevention of Corruption Act, 1988;

2. And whereas, Sri Sayyaparaju Ramesh Raja, S/o late Suryanarayana Raju is R/o Daddavada village, Komarolu Mandal, Prakasam District;

3. And whereas, on 06-12-2008 at 16-00 hours one Sri Sayyaparaju Ramesh Raja, S/o Late Suryanarayana Raju, R/o Daddavada Village, Komarolu Mandal, Prakasam District went to the Office of the District Inspector, Anti Corruption Bureau, Prakasam District at Ongole and gave a report stating that Sri S.Ramesh Raja is native of Janakiramapuram, Chinnakaparam Village, Akiveedu Mandal, West Godavari District. Sri S. Ramesh Raja and his brother Sri S. Ravi Raja purchased 28 acres of agricultural land in the year 2008 at Daddavada Village, Komarolu Mandal of Prakasam District. As Sri S. Ramesh Raja's brother is a Lawyer by profession and residing at Hyderabad, he is cultivating the fields of his brother also by residing at Giddalur of Prakasham District. In order to earmark the boundaries of their lands Sri S. Ramesh Raja took two challans for Rs. 250/- each on behalf of himself and his brother, on 27-10-2008 and submitted the challans along with two applications to the Tahasildar, Komarolu. The Tahasildar received the applications, made initial on the applications and sent them to Sri T. Nageshwara Rao. After

(contd. on p. 2)

twenty days of his submitting the applications Sri S. Ramesh Raja came to know that his applications were sent to Sri T. Nageshwara Rao. He met Sri T. Nageshwara Rao in the office in this matter and Sri T. Nageshwara Rao told him that he would look in to the matter, when Sri S. Ramesh Raja met Sri T. Nageshwara Rao. On 24-11-2008 in the office Sri T. Nageshwara Rao demanded bribe of Rs.5,000/- from Sri S. Ramesh Raja. Then Sri S. Ramesh Raja expressed his inability to pay the bribe. Sri S. Ramesh Raja met Sri T. Nageshwara Rao again at his office on 2-12-2008 and enquired about his work. Sri T. Nageshwara Rao reiterated his earlier demand and told him that he would attend to the work only after payment of the demanded bribe amount. When Sri S. Ramesh Raja requested Sri T. Nageshwara Rao he reduced the bribe amount to Rs. 1,800/- and finally told Sri S. Ramesh Raja that unless and until the said amount was paid he will not do the work. Sri T. Nageshwara Rao also informed Sri S. Ramesh Raja out of Rs. 1,800/- demanded by him, an amount of Rs. 500/- was to be paid to the Village Revenue Officer Sri Ramakrishna Reddy Rs. 1,000/- was for him and the remaining Rs. 300/- was to be paid to the two Thalaries. The Accused Officer instructed Sri S. Ramesh Raja to pay the bribe amount to him at the fields of Sri S. Ramesh Raja's. On 9-12-2008 and after receiving the same he would start the work of the surveying the lands of Sri S. Ramesh Raja. As there was no other go Sri S. Ramesh Raja agreed to pay the bribe amount of Rs.1,800/- to Sri T. Nageshwara Rao;

4 And whereas, it is further alleged that Sri Sayyaparaju Ramesh Raja, S/o late Suryanarayana Raju, R/o Daddavada Village, Komarolu Mandal, Prakasam District who was not willing to pay the bribe to Sri Tarra Nageshwara Rao, S/o Jaggu Naidu, age 38 years, Mandal Surveyor, Office of Tahasildhar, Komarolu Mandal, Prakasam District went to the Office of the District Inspector, Anti Corruption Bureau, Prakasam District at Ongole and gave a report. The Deputy Superintendent of Police, Anti Corruption Bureau registered a case in Cr.No. 15/RCT- NPK/2008 after due verification;

(contd. on p. 3)

5. And whereas, it is further alleged that on 09-12-2008 after completion of the pre-trap proceedings Deputy Superintendent of Police , Anti Corruption Bureau, Nellore with his staff, two mediators, Sri S.Ramesh Raja left Anti Corruption Bureau office and reached Sri Garden junction near Akkapalli Village on Thaticharla Motu to Komarolu road and parked the vehicle on the road side. Sri S.Ramesh Raja fields are located at a distance of about ½ K.M. from that place the trap party reached the above place at 09-00hrs. At about 08-45 hrs, while the trap party when proceeding to Sri Gardens, Komarolu Mandal, Sri S. Ramesh Raja received a missed call from the cell phone of the accused officer vide cell No. 9866903050. After that, Sri S. Ramesh Raja rang up to the cell phone of the accused officer from his cell phone No. 9440561168. Sri S. Ramesh Raja informed the DSP, A.C.B. that Sri T.Nageshwara Rao instructed him to wait for him at Sri Garden board on the roadside. Accordingly, the vehicle was stopped on the said place at 09-00 hrs. At about 09-20 hrs Sri T. Nageshwara Rao rang up to Sri S. Ramesh Raja over cell No. 9440561168 and told him that he is having another important work to attend and he was not coming for measuring Sri S. Ramesh Raja fields and asked Sri S.Ramesh Raja to come to his office at Komarolu and meet him with in half an hour. On that, the trap party along with Sri S.Ramesh Raja went to Komarolu and parked the vehicle in the Government Junior College, Komarolu from where the Tahasildar Office, Komarolu Mandal was at a distance of about 250 meters, West. The Deputy Superintendent of Police, Anti Corruption Bureau asked Sri S.Ramesh Raja to get down from the vehicle and instructed him to proceed to the Tahasildar office, to meet Sri T. Nageshwara Rao and to pay him the tainted bribe amount only on his further demand and not otherwise. After he left the trap party he proceeded to the office of the Tahasildar, Komarolu and found the office locked. He called Sri T. Nageshwara Rao over his cell phone and informed him that he was waiting for him at the office. Sri T. Nageshwara Rao told him that he was on his way to the office and asked him to wait and with in a few minutes Sri T. Nageshwara Rao came to the office on a motorbike and parked it in the portico. He asked Sri T.Nageshwara Rao as to

(contd. on p. 4)

why he is postponing his work and on that Sri T.Nageshwara Rao told him that he would attend to his work the next day and further demanded him about the bribe amount and on that he took out the tainted bribe amount of Rs. 1,800/- from his shirt pocket on seeing that Sri T. Nageshwara Rao asked him to keep the amount in his shirt pocket and Sri T. Nageshwara Rao showed his left side upper pocket of his shirt and accordingly he kept the amount in the shirt pocket of Sri T.Nageshwara Rao. Sri T.Nageshwara Rao told him that he would attend to his work without fail on the next day. On that he gave signal by wiping his face twice with his both hands. Immediately the Deputy Superintendent of Police, Anti Corruption Bureau along with trap party went to the Office of Tahasildar, Komarolu. Sri S.Ramesh Raja was found standing in front of the portico of the said office. The entrance door of the Tahasildar's office was found locked and a person was found in the portico and about to start his Motor Bike Kawasaki Boxer bearing No. AP-27-H-2919. The Deputy Superintendent of Police, Anti Corruption Bureau instructed Sri S. Ramesh Raja to stay behind the office until he was called. The Deputy Superintendent of Police, Anti Corruption Bureau disclosed his identity and as well as that of the other trap party members and ascertained the identity of the said person as Sri Tarra Nageshwara Rao, S/o Jaggunaidu, age 38 years working as Mandal Surveyor, O/o Tahasildar, Komarolu Mandal. The Deputy Superintendent of Police, Anti Corruption Bureau got prepared sodium carbonate solution in two glass tumblers and asked Sri T. Nageshwara Rao to rinse his both the hand fingers in the two colourless solution, on that, Sri T.Nageshwara Rao rinsed his both hand fingers separately in the two colourless solutions and there was no change in the colour of the solutions. The Deputy Superintendent of Police, Anti Corruption Bureau asked Sri T.Nageshwara Rao about the bribe amount received by him from Sri S. Ramesh Raja, a short while ago, on that Sri T. Nageshwara Rao stated that the amount is in his shirt pocket and that he did not demand any bribe from Sri S. Ramesh Raja and that Sri S. Ramesh Raja kept the amount in his shirt pocket and saying so took out a bunch of currency notes from his wearing shirt left side pocket. On the instructions of the Deputy Superintendent of

(contd. on p. 5)

Police, Anti Corruption Bureau Deputy Superintendent of Police, Anti Corruption Bureau the mediator-1 received the currency notes from Sri T. Nageshwara Rao. As instructed by the Deputy Superintendent of Police, Anti Corruption Bureau the 1st mediator counted the currency notes received by him from Sri T. Nageshwara Rao and found them to be three five hundred rupee currency notes and three hundred rupee currency notes. The serial numbers on the currency notes tallied with that of the serial numbers of the currency noted in the mediator's report-1. The Deputy Superintendent of Police, Anti Corruption Bureau seized the above currency notes for the purpose of investigation. The Deputy Superintendent of Police, Anti Corruption Bureau got prepared sodium carbonate solution in glass tumblers and rinsed the inner linings of the left side upper shirt pocket of the shirt of Sri T. Nageshwara Rao, solution turned into pink colour. The Deputy Superintendent of Police, Anti Corruption Bureau seized the shirt of Sri T. Nageshwara Rao. Then on the request of the Deputy Superintendent of Police Sri T. Nageshwara Rao produced the F- Line Register and the application of Sri S. Ramesh Raja. The Deputy Superintendent of Police seized documents for further investigation. The Deputy Superintendent of Police gathered material available there for evidence against Sri T. Nageshwara Rao, and arrested Sri T. Nageshwara Rao at 14-00hrs on 9-12-2008 after informing the grounds of arrest. Subsequently on 3-1-2009 the Magistrate JMFC Excise court, Ongole, Prakasham District examined Sri S. Ramesh Raja U/s 164 Cr. P.C. statement. Sri S. Ramesh Raja sticks on to his earlier version. The above proceedings were reduced into writing in the form of mediator No.2;

6. And whereas, the aforesaid acts of Sri Tarra Nageshwara Rao, S/o Jaggu Naidu, age 38 years, Mandal Surveyor, O/O Tahasildar, Komarolu Mandal, Prakasham District constitute offences punishable Under Section 7, 13(2), read with 13 (1) (d) of the Prevention of Corruption Act, 1988;

(contd. on p. 6)

7. And whereas, the Government of Andhra Pradesh, being the competent authority to remove the said Sri Tarra Nageshwara Rao, S/o Jaggu Naidu, age 38 years, Mandal Surveyor, O/o Tahasildar, Komarolu Mandal, Prakasham District from the Government service after fully and carefully examining the material (i.e., Final Report, copy of the F.I.R., copies of the Mahzars, gist of the statement of the witnesses and other documents) placed before them in respect of the aforesaid allegation and giving regard to the facts and circumstances of the case consider that the above said Sri Tarra Nageshwara Rao, S/o Jaggu Naidu , age 38 years, Mandal Surveyor, O/o Tahsildhar, Komarolu Mandal, Prakasham District should be prosecuted in a Court of law for the above said offences;

8. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988, the Government of Andhra Pradesh, hereby accord sanction for the prosecution of the said Sri Tarra Nageshwara Rao, S/o Jaggu Naidu, age 38 years, Mandal Surveyor, Office of Tahsildhar, Komarolu Mandal, Prakasham District for the offences punishable under sections 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption ACT, 1988 and for any other cognizable offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THEGOVERNOR OF ANDHRA PRADESH)

(RAJESHWAR TIWARI)
SECRETARY TO GOVERNMENT

To
The Director General, Anti Corruption Bureau, Hyderabad.